

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

WACHOVIA BANK, N.A.,)	
)	
Plaintiff/Counterclaim)	
Defendant,)	CIVIL ACTION FILE
v.)	NO. 3:07-CV-993-MHT-WC
)	
CABANA WEST, L.P.,)	
MILES E. HILL, JR., and)	
RUDOLPH BEAVER,)	
)	
Defendants/Counterclaim)	
Plaintiffs.)	

INITIAL DISCLOSURES OF CABANA WEST AND MILES E. HILL

Pursuant to Rule 26(a) of the Federal Rules of Civil Procedure, Cabana West, L.P. (the "Owner") and Miles E. Hill, Jr. hereby file their Initial Disclosures, showing this Court as follows:

1. Identity of Witnesses

The following persons are believed to have knowledge of facts relevant to the claims and defenses presented in this action:

Miles E. Hill
Cabana West, L.P.
c/o William J. Sheppard
Morris, Manning & Martin, LLP
1600 Atlanta Financial Center
3343 Peachtree Road
Atlanta, Georgia 30326

Rudolph Beaver
c/o Lee Benton
Benton & Centeno, LLP
2019 Third Avenue North
Birmingham, Alabama 35203

Andy Raine
Rick Lyon
Wachovia Bank, N.A.
c/o Jason Woodard
Burr & Forman, LLP
3400 Wachovia Tower
420 North 20th Street
Birmingham, Alabama 35203

Mark Powell
BridgePoint Advisors
2475 Northwinds Parkway
Suite 250
Alpharetta, Georgia 30004

The Owner and Mr. Hill reserve the right to supplement and amend this response if additional information becomes available.

2. Documents.

The Owner and Mr. Hill will make available at a time and place mutually convenient to the parties non-privileged documents (including electronically stored information) and tangible things in their possession, custody, or control that relate to the claims and defenses of the parties in this action.

The Owner and Mr. Hill reserve the right to produce additional discoverable documents and things if they are discovered subsequent to this filing of this disclosure.

3. Damages.

The Owner and Mr. Hill are seeking to recover and/or set off compensatory damages that arise from and relate to the improper actions of Plaintiff Wachovia Bank in administering the loan that is the subject of this action and/or other

transactions involving the parties. The amount of those damages is not yet known. Additionally, the Owner and Mr. Hill seek to recover attorneys' fees and expenses of litigation pursuant to O.C.G.A. § 13-6-11 and punitive damages.

4. Insurance.

The Owner and Mr. Hill are unaware of the existence of any insurance policy that is applicable in this action.

This 11th day of March, 2008.

Respectfully submitted,

MORRIS, MANNING & MARTIN, LLP

By: Bill Sheppard
William J. Sheppard
Georgia Bar No. 641980
Admitted Pro Hac Vice

Attorneys for Cabana West
and Miles Hill

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have caused service of the within and foregoing **INITIAL DISCLOSURES OF CABANA WEST AND MILES HILL** to be served upon all parties in the above-styled action via United States Mail, addressed to the following:

D. Christopher Carson, Esq.
Jason Woodard, Esq.
Burr & Forman, LLP
420 North 20th Street
Suite 4300 - Wachovia Tower
Birmingham, Alabama 35203

Lee R. Benton, Esq.
Benton & Centeno, LLP
2019 Third Avenue
Birmingham, Alabama 35203

This 11th day of March, 2008.



William J. Sheppard
Georgia Bar No. 641980